

they put in all these poison pills or extraneous provisions related to tax breaks, related to malpractice, related to medical savings accounts, and so that when the bill went to conference between the two Houses, it was virtually impossible to get a bill out of conference and to the President because of all these poison pills, added provisions, loading down the Patients' Bill of Rights so that it could not pass and was not a clean bill. We do not want that to happen again.

I have been very happy with what is happening in the other body because it is clear that we have a majority, albeit a slight one, between most of the Democrats and a few Republicans to try to have a bill that clearly will shift the burden so that decisions are made by doctors and there is a real way of redressing your grievances and, on the other hand, not loading this bill down with all kind of extraneous material so we can never get it out of conference and to the President's desk.

But the other development that occurred today that was disturbing, and I think I need to speak out on it because I need to expose again what the Republican leadership this time in the House is trying to do, is that the Republican leadership in the House, which so far has refused to bring up the real Patients' Bill of Rights, will not have it go through committee, will not bring it to the Committee on Rules, will not bring it to the floor, as the Republican leadership has unveiled their own HMO reform bill which, of course, you know, they are going to call the Patients' Bill of Rights, but it is not the real Patients' Bill of Rights. It is not the bill that has already passed the House, that is now being considered in the other body, that has the support of almost every Democrat and about a third of the Republicans.

I want to talk a little bit, if I can this evening, Mr. Speaker, about why this latest House Republican leadership proposal for HMO reform does not cut the mustard and is just a subterfuge to try to kill the real Patients' Bill of Rights, because what I think is going to happen is that the Republican leadership when we come back from the July 4th recess is going to try to bring up their version of HMO reform and ignore the real Patients' Bill of Rights and try to make it so that the real Patients' Bill of Rights never gets considered on the House floor.

Let me tell you a little bit about what this Republican plan that was introduced today, or they had a press conference today, is all about. I would characterize it as an HMO, an insurance company bill of rights rather than a Patients' Bill of Rights. Once again the Republican leadership is protecting managed care plans from simply being held accountable for their actions. Unlike the real Patients' Bill of rights, the Republican plan leaves the review of patient grievances in the hands of the insurance companies and still allows insurance companies the ability to dictate the services patients receive.

Now, I have said before why this is unacceptable. It is unacceptable because the core of the real Patients' Bill of Rights is the idea that the insurance companies do not make medical decisions; the doctors and the patients do. We want to see a real Patients' Bill of Rights, that is what our constituents tell us, not a phony one.

The legislation that the Republican leadership introduced today does not provide many of the assurances that I talked about tonight that the real Patients' Bill of Rights provides. It allows HMOs to choose the external appeals panel and then allows the panel to determine whether the patient can go to court without allowing the patient the right to appeal. In addition, the Republican bill provides only a narrow venue for State lawsuits which then forces all suits over improperly denied care to go to Federal court.

Now, some people may say, Well, what's the difference whether I sue in State court or Federal court? Let me tell you, it makes a big difference. What the Democratic bill says is that you can sue in State court. If the Republican bill forces you into Federal court, there are not that many Federal courts and their dockets are overcrowded and people have a much harder time suing in Federal court, and it costs you a lot more money to sue in Federal court. So there is a difference. I do not want to play it up in a major way, but I want to explain why there is a difference.

I think that what the Republican leadership did today in the House is that basically what they are trying to do is sort of outbest what the other body is doing. They know that the other body is likely to pass a real Patients' Bill of Rights, and they want to bring up a fake one here in the House that the majority of the Members, almost all the Democrats and even about a third of the Republicans are opposed to.

We will see what happens, but I think that we need to expose what is happening here and how this latest bill which was much heralded today by the Republican leadership really does not accomplish the major goal of the real Patients' Bill of Rights, which is to switch the decision about what kind of care you get to your doctor and you rather than the insurance company and that allows you to basically appeal a denial of care to an independent body outside of the HMO and ultimately to court if you do not have a fair shake.

Mr. Speaker, I just wanted to say, I know that every night this week the Democrats are using our time during Special Orders to draw attention to the Patients' Bill of Rights and why we need to pass the real bill here in the House and also in the other body. Last night we had Members of the Texas delegation get up, and I thought that was very significant because, as you know, President Bush said during the course of the campaign that he would sign a bill that was like the Texas law.

Frankly, the Dingell-Ganske bill, the McCain-Kennedy-Edwards bill, the real Patients' Bill of Rights, is exactly like the Texas law. Yet now President Bush says he will veto that bill and he does not find that bill acceptable and is asking for something else. I think that is not the commitment he made during the campaign. It was not the commitment he made when he was Governor. And it certainly is a commitment that he should keep and hopefully if we send him the real bill, he will sign it even though he is now threatening to veto it.

The second thing I wanted to say is that tomorrow night, the Democrats will have some of our Members who are health care professionals, who are nurses and who are other types of health care professionals, taking to the floor.

The reason we are doing that is because I think that oftentimes it is the people that are in the health care profession, the doctors, the nurses, the technicians, these are the people that understand, I think, oftentimes even more than the patients, why it is important to have a real Patients' Bill of Rights, because they want to take care of their patients. They want to make sure they get the proper care and the care they deserve. They do not want monetary or other considerations, the bottom line, to dictate the quality of care for the average American. We will be here as Democrats every night this week and also when we return after the July 4th recess to bring up the point that the real Patients' Bill of Rights must pass. It is the highest priority of the Democrats in both Houses, and we are determined to see it through.

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#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. KERNS). The Chair would remind Members not to characterize Senators or Senate action.

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#### ADDRESSING THE NATION'S ENERGY NEEDS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from California (Mr. RADANOVICH) is recognized for 60 minutes as the designee of the majority leader.

Mr. RADANOVICH. Mr. Speaker, I would like to take the time that I have that I have been most graciously given to begin to talk about our Nation's energy needs and the national energy policy that has been put forth by the new administration, by President Bush, and the information contained in the National Energy Policy Development Group's report on national energy policy.

I want to commend the administration for taking the leadership on what is a real challenging issue, and that is, providing energy for America's needs. Being from California, they are urgent